

Message Text

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PAGE 01 STATE 309595
ORIGIN EA-12

INFO OCT-01 ISO-00 /013 R

66011

DRAFTED BY:EA/PHL:BAFLECK

APPROVED BY:EA/PHL:BAFLECK

-----073188 050956Z /10

R 050348Z JAN 78

FM SECSTATE WASHDC

INFO AMCONSUL HONG KONG 0000

C O N F I D E N T I A L STATE 309595

FOR ASST SECY HOLBROOKE

FOLLOWING REPEAT 77 STATE 309595 ACTION MANILA DEC 29

QUOTE: C O N F I D E N T I A L STATE 309595

FOR EA ONLY

E.O. 11652:GDS

TAGS: SHUM, RP

SUBJECT:HUMAN RIGHTS COUNTRY EVALUATION PLAN

1. PART A OF THE HUMAN RIGHTS COUNTRY EVALUATION PLAN FOR THE PHILIPPINES HAS BEEN COMPLETED, CLEARED WITHIN THE DEPARTMENT AND APPROVED BY THE BUREAU OF HUMANITARIAN AFFAIRS (HA). PART A AND THE INTRODUCTION WILL BE SUBMITTED TO CONGRESS AS PART OF THE CONGRESSIONAL PRESENTATION DOCUMENT (CPD), WHILE PART B WILL REMAIN CLASSIFIED. CURRENT PLANS ARE FOR PART B TO BE REVIEWED BY THE INTER-AGENCY COMMITTEE ON HUMAN RIGHTS (THE CHRISTOPHER COMMITTEE) AT A LATER DATE. PART A WAS SUPPOSED TO BE CONFIDENTIAL

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TYPED IN THE SPECIAL FORMAT FOR THE CPD AND SUBMITTED TO THE DEPUTY SECRETARY BY DECEMBER 15 IN ORDER TO MEET A TIGHT SCHEDULE FOR FINAL SEVENTH FLOOR REVIEW AND PRINTING BUT A NUMBER OF REPORTS ARE RUNNING LATE. WE DO NOT YET HAVE AGREED TEXT FOR PART B.

2. THE TEXT OF PART A IS BEING TRANSMITTED FOR YOUR INFORMATION AND NOT FOR CLEARANCE OR ALTERATION GIVEN THE CONSTRAINTS UNDER WHICH WE ARE OPERATING. IF POST FINDS MAJOR FACTUAL ERRORS OR BELIEVES SEVERE DAMAGE WILL RESULT TO U.S. INTERESTS FROM SPECIFIC STATEMENTS, WE SHOULD BE INFORMED BY IMMEDIATE TELEGRAM WITH EA ONLY CAPTION. INSTRUCTIONS WILL BE GIVEN LATER CONCERNING ADVANCE NOTIFICATION OF HOST GOVERNMENTS. TEXT OF INTRODUCTION AND PART A FOLLOWS:

3. BEGIN UNCLASSIFIED:

QUOTE INTRODUCTION

QUOTE THE PHILIPPINES, A FORMER COLONY OF THE UNITED STATES AND THE ONLY PREDOMINANTLY CHRISTIAN NATION IN ASIA, HAS BEEN GOVERNED BY PRESIDENT FERDINAND MARCOS UNDER MARTIAL LAW SINCE 1972.

QUOTE IN HIS PROCLAMATION OF MARTIAL LAW, PRESIDENT MARCOS REFERRED TO THE SERIOUS THREAT OF INSURRECTION AND SUBVERSION. THERE IS A MAOIST-ORIENTED INSURGENCY IN SEVERAL AREAS. A MORE SERIOUS PROBLEM HAS BEEN THE MUSLIM INSURGENCY IN WESTERN MINDANAO AND THE SULU ARCHIPELAGO.

QUOTE WHILE MARTIAL LAW CONTRIBUTED INITIALLY TO AN
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IMPROVEMENT IN THE PEACE AND ORDER OF THE SOCIETY, IT WAS ANNOUNCED AS A TEMPORARY MEASURE. INSTEAD, IT HAS RESULTED IN THE ABANDONMENT OF DEMOCRATIC FORMS OF GOVERNMENT AND IN THE SEVERE CURTAILMENT OF HUMAN RIGHTS OF INDIVIDUAL CITIZENS. WITHIN THE PAST YEAR, A FEW TENTATIVE STEPS HAVE BEEN TAKEN TOWARD RELAXATION OF MARTIAL LAW, BUT NO REAL STEPS HAVE YET BEEN TAKEN TOWARD THE RESTORATION OF DEMOCRATIC GOVERNMENT OR THE ELIMINATION OF THE MORE SEVERE INTRUSIONS ON INDIVIDUAL RIGHTS.

QUOTE A. CONDITION OF HUMAN RIGHTS IN THE PHILIPPINES

QUOTE 1. RESPECT FOR THE INTEGRITY OF THE PERSON:

QUOTE A. TORTURE

QUOTE THE PHILIPPINE GOVERNMENT HAS CONSISTENTLY MAINTAINED THAT THE USE OF TORTURE OR OF CRUEL, INHUMAN OR DEGRADING PUNISHMENT IS AGAINST CLEARLY STATED GOVERNMENT POLICY AND THAT PROVEN VIOLATORS OF THOSE POLICIES ARE PUNISHED. PRESIDENT MARCOS HAS ORDERED IDENTIFICATION

AND PUNISHMENT OF VIOLATORS BUT IT IS NOT CLEAR THAT THE SECURITY FORCES ARE COMPLYING WITH HIS INSTRUCTIONS. THERE HAVE BEEN CONTINUING REPORTS FROM CREDIBLE ORGANIZATIONS AND INDIVIDUALS THAT TORTURE AND MALTREATMENT OF PRISONERS CONTINUE.

QUOTE TORTURE IS REPORTED TO HAVE TAKEN PLACE MOSTLY DURING PRE-DETENTION INTERROGATION BY SPECIAL INTERNAL SECURITY UNITS SEEKING EVIDENCE AGAINST THE PRISONERS OR INFORMATION ABOUT THEIR ASSOCIATES. REPORTS OF SUCH CASES HAVE CONTINUED THROUGHOUT THE MARTIAL LAW PERIOD. FOLLOWING ITS NOVEMBER-DECEMBER 1975 MISSION TO THE PHILIPPINES, AMNESTY INTERNATIONAL SAID THAT EMPLOYMENT OF TORTURE WAS WIDESPREAD AND TORTURE OF PRISONERS WAS PART OF A GENERAL APPROACH TO THE TREATMENT OF SUSPECTS. CONFIDENTIAL

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THE SAME POINT IS MADE IN AMNESTY'S DECEMBER 1977 WORLD-WIDE REPORT.

QUOTE THE MARCH 1977 REPORT "POLITICAL DETAINEES IN THE PHILIPPINES (BOOK TWO)," PREPARED BY THE ASSOCIATION OF MAJOR RELIGIOUS SUPERIORS IN THE PHILIPPINES, SAID THAT REPORTS OF TORTURE DURING INTERROGATION STILL PERSISTED AFTER THE AMNESTY INTERNATIONAL INVESTIGATION. THE GOVERNMENT HAS REPEATEDLY DENIED CHARGES THAT DETAINEES WERE BEING OR HAD BEEN TORTURED, AND STATED THAT THOSE SUBJECT TO THE SEVEREST MALTREATMENT WERE
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*** Current Handling Restrictions *** ONLY

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Sent Date: 05-Jan-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE309595
Document Source: CORE
Document Unique ID: 00
Drafter: EA/PHL:BAFLECK
Enclosure: n/a
Executive Order: GS
Errors: n/a
Expiration:
Film Number: D780516-0845
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
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Legacy Key: link1977/newtext/t19770189/aaaafkrn.tel
Line Count: 145
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON MICROFILM, TEXT ON-LINE
Message ID: 6ceee4dd-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3677282
Secure: OPEN
Status: <DBA CORRECTED> mcm 970828
Subject: HUMAN RIGHTS COUNTRY EVALUATION PLAN
TAGS: SHUM, RP, SHUM
To: MANILA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/6ceee4dd-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009